

80/578811

AP20 Rec'd PTO 04 MAY 2006

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Merck & Co., Inc. and Albert Einstein College of
Medicine of Yeshiva University

Int'l Appln.: PCT/US2004/036648

Serial No. : To Be Assigned Case No.: 21580YP

Filed : May 4, 2006

For : METHOD OF IDENTIFYING RESPONDERS TO
TREATMENT WITH INSULIN SENSITIZERS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR § 1.97

Sir:

In compliance with 37 CFR § 1.97, Applicants and other individuals associated with the filing or prosecution of this application wish to bring to the attention of the Examiner the patents, publications, and other information of which they are aware, listed on the attached form PTO-1449, which they believe may be relevant to the examination of this application or may be material to patentability and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56. Applicants respectfully request that the Examiner initial the form PTO-1449 after reviewing the pertinence of each reference.

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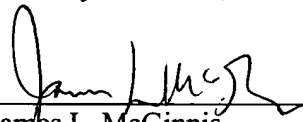
This Information Disclosure Statement is not an admission that any patent, publication, or other information referred to herein is "prior art" for this invention.

In accordance with 37 CFR § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b). In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made.

Pursuant to 37 CFR § 1.97(b), this Information Disclosure Statement is being filed before issuance of a First Office Action. No fee is believed to be due.

Any additional fees required in connection with this submission may be taken from Merck Deposit Account No. 13-2755.

Respectfully submitted,

By 
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Date: May 4, 2006

Substitute for form 1449B/PTO

INFORMATION DISCLOSURE

STATEMENT BY APPLICANT

(use as many sheets as necessary)

COMPLETE IF KNOWN**Application Number****Filing Date**

May 4, 2006.

First Named Inventor

John Wagner

Group Art Unit

Examiner Name

Sheet

1

of

1

Attorney Docket Number

21580YP

NON PATENT LITERATURE DOCUMENTS

Examiner
Initials*Cite
No.

Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.

Iwaki, M., et al. "Induction of Adiponectin, a Fat-Derived Antidiabetic and Antiatherogenic Factor, by Nuclear Receptors" DIABETES, vol. 52, pp.1655-1663, 2003

Utpal B. Pajvani, et al. "Complex Distribution, Not Absolute Amount of Adiponectin, Correlates with Thiazolidinedione-mediated Improvement in Insulin Sensitivity", *Journal of Biological Chemistry*, vol. 279, No. 13, pp.12152-12162, 2004

**Examiner
Signature**

Date
Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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